

CIVIL RIGHTS ACT

Conferees agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 2104, to restore and strengthen civil rights laws that ban discrimination in employment.

Wednesday, September 26, 1990

Senate

Chamber Action

Routine Proceedings, pages 25853-26003

Measures Introduced: Nine bills and one resolution were introduced as follows: S. 3110-3118, and S. Res. 328.

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Measures Reported: Reports were made as follows:

S. 1980, to provide for the repatriation of Native American group or cultural patrimony, with an amendment in the nature of a substitute. (S. Rept. No. 101-473)

H.R. 5158, making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1991, and for other purposes, with amendments. (S. Rept. No. 101-474)

H.R. 435, to amend the Appalachian Regional Development Act of 1965 to include Columbiana County, Ohio, as part of the Appalachian region.

H.R. 4758, to provide for the construction, operation, and maintenance of an extension of the American Canal at El Paso, Texas.

S. Res. 312, to express the sense of the Senate regarding the need to develop a zebra mussel research and control program through the Great Lakes Fishery Commission.

S. 427, to designate the Federal Building located at 1801 Gulf Breeze Parkway, Gulf Breeze, Florida, as the "Bob Sikes Visitor Center".

S. 2806, to redesignate the Interstate Highway System as the Dwight D. Eisenhower Interstate Highway System.

S. 2879, to amend the John F. Kennedy Center Act to authorize appropriations for maintenance, repair, alteration and other services necessary for the John F. Kennedy Center for the Performing Arts.

S. 2965, to designate the Federal building located at 51 Southwest 1st Avenue in Miami, Florida, as the "Claude Pepper Federal Building".

S. 3046, to redesignate the Federal building located at 1 Bowling Green in New York, New York, as the "Alexander Hamilton United States Custom House".

S. 3062, to transfer the responsibility for operation and maintenance of Highway 82 Bridge at Greenville, Mississippi, to the States of Mississippi and Arkansas.

S. 3068, to establish the Office of Take Pride in America.

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Measures Passed:

McKinney Homeless Assistance Reauthorization: Senate passed S. 2863, to amend the Stewart B. McKinney Homeless Assistance Act and the Public Service Act to reauthorize certain health, education, training, and community services programs, after agreeing to the committee amendment in the nature of a substitute and the following amendment proposed thereto:

Page 25958

Cranston (for Kennedy) No. 2912, to combat homelessness through the establishment of housing-based family support centers, through the provision of housing-based services to elderly individuals and individuals with chronic and debilitating illnesses and conditions, through the provision of residence-based outpatient mental health services, and through the use of grants for the improvement of community development corporations.

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Interstate Commission on Child Support Enforcement: Senate passed S. 3117, to reauthorize the Interstate Commission on Child Support Enforcement.

Page 25980

Commending Jonathan Steinberg: Senate agreed to S. Res. 328, commending Jonathan R. Steinberg for faithful and outstanding service to the Senate and the Nation.

Page 25980

Drunk Driving Child Protection Act: Senate passed S. 2545, to amend title 18 of the United States Code, to increase the term of imprisonment for offenses involving driving while intoxicated when a minor is present in the vehicle.

Page 25982

Indoor Air Quality: Senate passed S. 657, to authorize a national program to reduce the threat to human health posed by exposure to contaminants in the air indoors, after agreeing to committee amendments, and the following amendment proposed thereto:

Page 25983

Cranston (for Burdick) No. 2913, to make clarifying and technical changes.

Page 25983

Physicians Comparability Allowances: Committee on Governmental Affairs was discharged from further consideration of S. 2588, to amend section 5948 of title 5, United States Code, to reauthorize physicians comparability allowances, and the bill was then passed.

Page 25988

Solar and Power Geothermal Production: Senate passed S. 2415, to encourage solar and geothermal power

production by removing the size limitations contained in the Public Utility Regulatory Policies Act of 1978, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Page 25989

Cranston (for Domenici) No. 2914, to remove the regulatory barriers for solar, wind, waste and geothermal electric energy generation contained in the Public Utility Regulatory Policies Act of 1978.

Page 25998

Jazz Promotion: Senate passed S. 2846, to authorize and direct the Secretary of the Interior to conduct a study of the feasibility of establishing a unit of the National Park System to interpret and commemorate the origins, development, and progression of jazz in the United States, after agreeing to the committee amendment in the nature of a substitute.

Page 26001

Family Planning Amendments—Title X: Senate continued consideration of S. 110, to revise and extend the programs of assistance under title X of the Public Health Service Act, with a modified committee amendment in the nature of a substitute, taking action on amendments proposed thereto, as follows:

Page 25862

Adopted:

(1) By 96 yeas to 1 nays (Vote No. 254), Pressler Amendment No. 2884, to reduce the pay of Members of Congress corresponding to the percentage reduction of the pay of Federal employees who are furloughed or otherwise have a reduction of pay resulting from a sequestration order.

Pages 25862, 25865

(2) Daschle Modified Amendment No. 2885 (to Amendment No. 2884), to make the application of the reduction of pay to the rate of pay for the President, the Vice President, and any executive officer at a position of level I of the Executive Schedule.

Page 25870

(3) Pressler Amendment No. 2886, of a technical nature.

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(4) By unanimous consent, Lieberman Amendment No. 2887, calling upon the President to initiate a modest use of the Strategic Petroleum Reserve to stabilize the crude oil market, was amended by striking the original language, leaving only the language of Amendment No. 2888, listed below. (By 43 yeas to 54 nays (Vote No. 255), Senate earlier failed to table the amendment.)

Pages 25874, 25878

(5) Armstrong Amendment No. 2888, to require notification of a parent or legal guardian prior to an abortion on a minor.

Pages 25874, 25877, 25884

Withdrawn:

(1) Humphrey Amendment No. 2889, to facilitate the appointment of an independent counsel to investigate any violation of Federal criminal law in connection with any Federally insured financial institute.

Page 25885

(2) Bond/Dodd Amendment No. 2890 (to Amendment No. 2889), to establish a National Commission on the Savings and Loan Industry, and to establish a Financial Institutions Fraud Unit within the Department of Justice. (The amendment fell when Amendment No. 2889, listed above, was withdrawn.)

Page 25886

During consideration of this measure today, Senate also took the following actions:

By 50 yeas to 46 nays (Vote No. 256), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to close further debate on the modified committee amendment in the nature of a substitute, as amended.

Page 25901

By unanimous consent, the bill was returned to the Senate Calendar.

Page 25958

National Voter Registration Act—Cloture Vote: By 55 yeas to 42 nays (Vote No. 257), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to close further debate on the motion to proceed to S. 874, to establish national voter registration procedures for Presidential and Congressional elections.

Page 25902

National Health Service Corps—Conferees: The Chair, under authority of August 4, 1990, appointed conferees on the part of the Senate on H.R. 4487, to amend the Public Health Service Act to revise and extend the program for the National Health Service Corps, and to establish certain programs of grants to the States for improving health services in the States, as follows: Senators Kennedy, Harkin, Pell, Adams, Hatch, Durenberger, and Cochran.

Page 25859

National Defense Authorizations, 1991—Conferees: The Chair, under authority of August 4, appointed conferees on the part of the Senate on H.R. 4739, to authorize appropriations for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, as follows: Senators Nunn, Exon, Levin, Kennedy, Bingaman, Dixon, Glenn, Gore, Wirth, Shelby, Byrd, Warner, Thurmond, Cohen, Wilson, McCain, Wallop, Gorton, Lott, and Coats.

Page 26003

National Policy on Permanent Papers: Senate concurred in the amendments of the House to S.J. Res. 57, to establish a national policy on permanent papers.

Page 25978

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

Treaty on the Final Settlement with Respect to Germany and a Related Agreed Minute (Treaty Doc. No. 101-20), which was transmitted to the Senate on Tuesday, September 25, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed.

Page 25857

Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary (Treaty Doc. No. 101-22), which was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

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Messages From the House:

Page 25917

Measures Referred:

Page 25917

Measures Placed on Calendar:

Page 25917

Communications:

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Executive Reports of Committees:

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Statements on Introduced Bills:

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Additional Cosponsors:

Page 25932

Amendments Submitted:

Page 25934

Notices of Hearings:

Page 25949

Authority for Committees:

Page 25949

Additional Statements:

Page 25950

Record Votes: Four record votes were taken today. (Total—257)

Pages 25871, 25883, 25901, 25906

Recess: Senate convened at 9 a.m., and recessed at 6:39 p.m., until 11 a.m., on Thursday, September 27, 1990.

Committee Meetings

DEPOSIT INSURANCE PREMIUMS

Committee on Banking, Housing, and Urban Affairs: Committee held hearings on S. 3045, to authorize the Federal Deposit Insurance Corporation to increase deposit insurance premiums as necessary to protect the Bank Insurance Fund, receiving testimony from Robert R. Glauber, Under Secretary of the Treasury for Finance; John F. Bovenzi, Deputy to the Chairman, Federal Deposit Insurance Corporation; and Donald H. Chapin, Assistant Comptroller General, Accounting and Financial Management Division, General Accounting Office.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. 1767, to reimburse Montana and individuals for expenses incurred to test cattle for brucellosis organisms carried outside Yellowstone National Park by elk and bison, with amendments;

H.R. 4559, to establish the Red Rock Canyon National Conservation Area in Nevada, with an amendment in the nature of a substitute, and in lieu of S. 2464, Senate companion measure;

S. 620, for the relief of Leroy W. Shebal of North Pole, Alaska, with an amendment in the nature of a substitute;

S. 2771, to establish the Vancouver National Historical Reserve in the State of Washington, with an amendment in the nature of a substitute;

S. 2802, to establish the Fort Totten National Historical Site in North Dakota;

H.R. 3863, to direct the Secretary of the Interior to conduct a study of alternatives for commemorating the Underground Railroad;

H.R. 4834, to provide for a visitor center at the Salem Maritime National Historic Site in Massachusetts;

H.R. 4111, to authorize and direct the Secretary of the Interior to establish a Strategic Resources Generic Mineral Technology Center for the purpose of improving existing, and developing new technologies to decrease the dependence of the United States on supplies of strategic and critical minerals;

S. 3085, to limit Natural Gas Act jurisdiction over local distribution company wholesalers of natural gas for ultimate consumption as fuel in motor vehicles, with amendments;

S. 2521, to provide for the exchange of certain lands in the State of New Mexico, with an amendment in the nature of a substitute;

H.R. 5084, to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site in Washington, D.C.; and

H.R. 4687, to designate a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute, and in lieu of S. 2555, Senate companion measure.

Also, committee began consideration of S. 11, to provide for the protection of the public lands in the California desert, but did not complete action thereon, and recessed subject to call.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands, National Parks and Forests concluded hearings on the following bills:

S. 2815, to establish the Kokapelli National Outdoor Theater in the State of Utah, after receiving testimony from Representative Wayne Owens; Michael Penfold, Assistant Director for Land and Renewable Resources, Bureau of Land Management, Department of the Interior;

and Geoffrey G. Panos, University of Utah, Salt Lake City;

S. 2816, to disclaim all right, title, and interest of the United States in and to certain private lands conditionally relinquished to the United States, after receiving testimony from Michael Penfold (listed above); Larry Henson, Associate Deputy Chief, Forest Service, Department of Agriculture; and Jerome C. Muys, Forest Lieu Selection Committee, Washington, D.C.;

H.R. 2566, to transfer all right, title, and interest of the United States in certain property on San Juan Island, Washington, to those persons who own such property because of an erroneous survey, after receiving testimony from Michael Penfold (listed above);

H.R. 3888, to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center, after receiving testimony from William C. Walters, Assistant Director, National Park Service, Department of the Interior;

S. 2543, Admiralty Island National Monument Land Management Act, focusing on Section 6 relating to a study of certain native villages in Alaska, after receiving testimony from Patrick Hayes, Deputy to the Assistant Secretary of the Interior for Indian Affairs (Trust and Economic Development); Larry Henson (listed above); and Robert Van Brocklin, Southeast Alaska ANCSA Land Acquisition Coalition, Inc., Portland, Oregon;

S. 2474, to provide for an exchange of certain lands in South Dakota and Colorado for private lands intermingled with Federal lands, after receiving testimony from Larry Henson (listed above); Rich Harr, Homestake Mining Company, Lead, South Dakota; and Gerald M. Fort, Spearfish Canyon Owners Association, Mitchell, South Dakota; and

S. 2891, to declare that a certain portion of Federal land known as the Mt. Sopris Tree Nursery Administrative Site, Colorado, shall be reserved to the Secretary of Agriculture, and to convey the balance of such property to Pitkin and Eagle Counties, Colorado, after receiving testimony from Larry Henson (listed above); Eagle County Commissioner Dick Gustafson, Eagle, Colorado; and Gary Wright and Timothy E. Whitsitt, both of Aspen, Colorado.

BUSINESS MEETING

Committee on Environment and Public Works: On Tuesday, September 25, Committee ordered favorably reported the following bills:

An original bill to relocate the Southeast Lighthouse on Block Island, Rhode Island, to a more suitable location;

S. 3068, to establish the Take Pride in America Office within the Department of the Interior to establish and maintain a public awareness campaign in cooperation with public and private organizations and individuals; and

S. 3062, to transfer the responsibility for operation and maintenance of Highway 82 Bridge at Greenville, Mississippi, to the States of Mississippi and Arkansas.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Richard C. Brown, of Maryland, to be Ambassador to the Oriental Republic of Uruguay, Eugene L. Scassa, of Virginia, to be Ambassador to Belize, Michael Martin Skol, of Illinois, to be Ambassador to the Republic of Venezuela, Edward P. Brynn, of Vermont, to be Ambassador to Burkina Faso, Herbert Donald Gelber, of Florida, to be Ambassador to the Republic of Mali, Arlene Render, of Virginia, to be Ambassador to the Republic of the Gambia, Stephen H. Rogers, of Virginia, to be Ambassador to the Kingdom of Swaziland, Gordon L. Streeb, of Colorado, to be Ambassador to the Republic of Zambia, Scott M. Spangler, of Arizona, to be Assistant Administrator, Agency for International Development, Harmon E. Kirby, of Ohio, to be Ambassador to the Republic of Togo, and Leonard H.O. Spearman, Sr., of Texas, to be Ambassador to the Kingdom of Lesotho, after the nominees testified and answered questions in their own behalf.

STUDENT AID PROGRAMS

Committee on Governmental Affairs: Permanent Subcommittee on Investigations continued hearings to examine alleged fraud, waste and abuse in Federal student loan programs, focusing on program enforcement and regulations of banks, guarantee agencies, student loan secondary markets and loan servicing operations, receiving testimony from Gregory Voelm and Deno Evangelista, both of the First Independent Trust Company, Sacramento, California; James E. Gilleran, California State Superintendent of Banks, San Francisco; Trent G. Nebeker, California State Student Loan Finance Corporation, Los Angeles; Aaron Cohen, Los Angeles, California, and Gretchen Staff, Orange, California, both on behalf of the United Education and Software, Inc.; and John H. Keefe, Corte Madera, California.

Hearings continue Friday, October 5.

U.S. POSITION IN GATT NEGOTIATIONS

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management held oversight hearings to examine the U.S. negotiating positions in the General Agreement on Tariffs and Trade (GATT) Uruguay Round negotiations with respect to basic manufacturing, high technology, services, investment and agriculture, receiving testimony from Julius L. Katz, Deputy U.S. Trade Representative; Marjorie A. Chorlins, Deputy Assistant Secretary of Commerce for Import Administration; John D. Ong, B.F. Goodrich Company, Akron, Ohio, and Lynn R. Williams, United Steel Workers of America, Pittsburgh, Pennsylvania, both on behalf of the Labor-Industry Coalition for International Trade; Timothy

K. Hoelter, Harley-Davidson, Inc., Milwaukee, Wisconsin; Vincent Cannella, OIS Optical Imaging Systems, Troy, Michigan; and Thomas M. Teske, East Jordan Iron Works, Inc., East Jordan, Michigan.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on Labor and Human Resources: Committee ordered favorably reported the following business items:

S. 930, to establish an Office of Construction, Safety, Health, and Education within OSHA, to improve investigations, inspections, reporting, and recordkeeping in the construction industry, and to require certain construction contractors to establish construction safety and health programs and onsite plans and appoint construction safety specialists, with an amendment in the nature of a substitute;

S. 3095, to authorize the creation of a National Report Card to be published annually to measure educational achievement of both students and schools, and to establish a National Council on Education Goals;

S. 3006, to revise the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, with an amendment in the nature of a substitute;

H.R. 5124, to expand and improve drug abuse education, prevention, and counseling services, to provide for positive alternative activities to drug abuse, and to provide for certain activities to ensure student safety, with an amendment in the nature of a substitute;

H.R. 5064, to revise the Drug-Free Schools and Communities Act of 1986 to provide for a program of grants to local educational agencies for drug abuse resistance education programs, with an amendment in the nature of a substitute;

S. 2576, to revise provisions of the Federal Food, Drug, and Cosmetic Act relating to designation of drugs for rare diseases or conditions to require that the number of people affected be determined three years after the request for designation as well as on the date of the request, with an amendment in the nature of a substitute;

S. 2054, to authorize grants and contracts for projects providing primary pediatric care to disadvantaged children, with an amendment in the nature of a substitute;

S. 2602, to provide assistance for biomedical and health services research, treatment programs and for other purposes relating to Alzheimer's disease and related disorders, with an amendment in the nature of a substitute; and

The nominations of Carole K. DiPrete, of Rhode Island, to be a Member of the National Commission on Libraries and Information Science, Peter Shaw, of New York, Margaret P. Duckett, of Pennsylvania, Helen Gray Crawford, of Louisiana, Michael T. Bass, of Florida, Billie Davis Gaines, of Georgia, Bruce D. Benson, of Colorado, and Henry H. Higuera, of Maryland, each to be a Mem-

ber of the National Council on the Humanities, and Earl Roger Mandle, of Ohio, to be a Member of the National Council on the Arts, all of the National Foundation on the Arts and Humanities, Joan R. Challinor, of the District of Columbia, to be a Member of the Board of Trustees, James Madison Memorial Fellowship Foundation, and Joyce E. Tucker, of Illinois, to be a Member of the Equal Employment Opportunity Commission.

House of Representatives

Chamber Action

Bills Introduced: 10 public bills, H.R. 5717-5726; 3 private bills, H.R. 5727-5729; and 5 resolutions, H.J. Res. 657, H. Con. Res. 375, and H. Res. 477-479 were introduced.

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Reports Filed: Reports were filed as follows:

Conference report on S. 2104, to amend the Civil Rights Act of 1964, to restore and strengthen civil rights laws that ban discrimination in employment (H. Rept. 101-755);

H.R. 5007, to designate the facility of the United States Postal Service located at 100 South John F. Kennedy Drive, Carpentersville, Illinois, as the "Robert McClory Post Office", amended (H. Rept. 101-756);

H.R. 5409, to designate the Post Office building at 222 West Center Street, in Orem, Utah, as the "Arthur V. Watkins Post Office", amended (H. Rept. 101-757);

H.R. 5209, to amend title 39, United States Code, to make nonmailable any unsolicited sample of a drug or other hazardous household substance which does not meet child-resistant packaging requirements, amended (H. Rept. 101-758);

H. Con. Res. 362, expressing the sense of Congress concerning the need for a national policy to rebuild the infrastructure of the United States, amended (H. Rept. 101-759);

H. Res. 477, waiving all points of order against consideration of the conference report on S. 2104, to amend the Civil Rights Act of 1964 to restore and strengthen civil rights laws that ban discrimination in employment, and against its consideration (H. Rept. 101-760);

H. Res. 478, providing for the consideration of H.R. 2039, to amend the Job Training Partnership Act to improve the delivery of services to hard-to-serve adults and to youth (H. Rept. 101-761);

H. Res. 479, providing for consideration of motions to suspend the rules on September 27, 1990 (H. Rept. 101-762); and

H.R. 5649, National Aeronautics and Space Administration Multiyear Authorization Act of 1990, amended (H. Rept. 101-763).

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Journal: By a yea-and-nay vote of 275 yeas to 126 nays, Roll No. 384, the House agreed to the Journal of Tuesday, September 25.

Page 26004

Committees to Sit: Committee on Energy and Commerce and the Committee on Public Works and Transportation and its Subcommittee on Public Buildings and Grounds received permission to sit today during proceedings of the House under the five-minute rule.

Pages 26005, 26012

Education of Handicapped: House insisted on its amendments to S. 1824, to reauthorize the Education of the Handicapped Act; and agreed to a conference. Appointed as conferees: Representatives Hawkins, Ford of Michigan, Owens of New York, Martinez, Payne of New Jersey, Jontz, Goodling, Bartlett, Ballenger, and Smith of Vermont.

Page 26011

Human Services Reauthorization: House disagreed to the Senate amendment to H.R. 4151, to authorize appropriations for fiscal years 1991 through 1994 to carry out the Head Start Act, the Follow Through Act, and the Community Services Block Grant Act; and agreed to a conference. Appointed as conferees:

From the Committee on Education and Labor, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Representatives Hawkins, Ford of Michigan, Kildee, Sawyer, Unsoeld, Lowey of New York, Poshard, Goodling, Tauke, Coleman of Missouri, and Grandy.

From the Committee on Energy and Commerce, for consideration of title II of the Senate amendment, and modifications committed to conference: Representatives Dingell, Sharp, Tauzin, Bruce, Towns, Walgren, Swift, Lent, Moorhead, Dannemeyer, and Fields.

Page 26011

Campaign Reform: House disagreed to the Senate amendment to H.R. 5400, to amend the Federal Election Campaign Act of 1971 and certain related laws to clarify such provisions with respect to Federal elections, to reduce costs in House of Representatives elections; and agreed to a conference. Appointed as conferees: Representatives Swift, Anthony, Brooks, McHugh, Annunzio, Sabo, Synar, Frost, Obey, Glickman, Fazio, Berman, Miller of California, Russo, Dingell, Ford of Michigan, Eckart, Thomas of California, Vander Jagt, Archer, Buechner, Frenzel, Gunderson, Horton, Oxley, Roberts, Sundquist, and Rhodes.

Page 26022

Rejected the Thomas of California motion to instruct House conferees to accept Senate provisions of sections 411, 412, and 414, relating to reporting and limitation of expenditures for franked mass mailings; and to accept the Senate provisions banning Federal contributions by connected Political Action Committees and limiting Federal contributions by unconnected PACs to \$1000 (re-

jected by a yea-and-nay vote of 194 yeas to 225 nays, Roll No. 385).

Page 26022

Health Service Corps: House disagreed to the Senate amendment to H.R. 4487, to amend the Public Health Service Act to revise and extend the program for the National Health Service Corps, and to establish certain programs of grants to the States for improving health services in the States; and agreed to a conference. Appointed as conferees: Representatives Dingell, Scheuer, Waxman, Towns, Richardson, Rowland of Georgia, Synar, Slattery, Cooper, Lent, Madigan, Dannemeyer, Tauke, Bliley, and Bilirakis.

Page 26030

Coastal Zone Management: By a yea-and-nay vote of 391 yeas to 32 nays, Roll No. 386, the House passed H.R. 4450, to improve management of the coastal zone and enhance environmental protection of coastal zone resources, by reauthorizing and amending the Coastal Zone Management Act of 1972.

Page 26030

Agreed to the committee amendment in the nature of a substitute (text of H.R. 5665).

Page 26050

Agreed To:

The Studds amendment that ensures coordination between State coastal zone management agencies (CZMA) and State water pollution control agencies in designating outstanding resource waters; and clarifies a State's authority to make inland boundary modifications;

Page 26060

The Studds amendment that obligates the CMZA to exhaust administrative remedies before challenging a State's decision in Federal court;

Page 26060

The Lowey of New York amendment that establishes the Long Island Sound Conservancy; and

Page 26061

The Saxton amendment that clarifies that States may review the activities of Federal agencies which influence a State's land or water use, or a natural resource of the coastal zone.

Page 26062

Rejected:

The Stangeland amendment to the Saxton amendment that sought to require States to pay 100 percent of any increased costs incurred by the issuance of a permit for an activity that is inconsistent with State laws; and

Page 26064

The Stangeland amendment that sought to require the 9-point source management plan be prepared as a component to section 319 of the Federal Water Pollution Control Act.

Page 26065

Water Resources Development: By a yea-and-nay vote of 350 yeas to 55 nays, Roll No. 387, the House passed H.R. 5314, to provide for the conservation and develop-

ment of water and related resources to authorize the United States Army Corps of Engineers civil workers program to construct various projects for improvements to the Nation's infrastructure.

Page 26067

Agreed to the committee amendment in the nature of a substitute.

Page 26129

Agreed To:

The Hammerschmidt amendment that sets annual ceilings for obligations at 1.8 million for fiscal years 1992 and 1993;

Page 26093

The Anderson en bloc amendment, as amended by the Emerson amendment, that establishes as part of the Corps water resources development program an interim goal of no overall net loss of the remaining wetlands base, and long-term goal of increasing the quality and total acreage of wetlands; requires that the Corps undertake demonstration projects to restore and create wetlands; modifies previously authorized projects to increase cost ceilings, construct new features, and allow States to assume certain responsibilities for operation and maintenance of projects feasibility; requires the Corps and EPA to find alternative sites for the environmentally sound disposal of material dredged from the New York/New Jersey Harbor region; requires the Corps and Coast Guard to review the water channels and vessel traffic characteristics in the New York Harbor area to determine potential means of reducing maritime accidents; and provides certain land exchanges in Florida, California, and Washington State;

Pages 26093, 26099

The Shuster amendment that requires the Secretary to submit to Congress for approval any proposed changes in the allocation of storage for the Raystown Lake project;

Page 26100

The Hopkins amendment that directs the Secretary to carry out a flood protection project for South Frankfort, Kentucky;

Page 26102

The Pallone amendment that prohibits the burning of driftwood after December 31, 1991 off the New York Harbor;

Page 26102

The Hayes amendment, as amended by the Studds amendment, that establishes priorities for Louisiana coastal wetlands restoration projects for the long-term conservation of such wetlands and dependent fish and wildlife populations; and reauthorizes the Louisiana State Penitentiary Levee project for flood control;

Pages 26114, 26117

The Emerson amendment that prohibits the Secretary from including in the benefit cost analysis for justifying Federal flood damage reduction projects any new or substantially improved structure built in the 100-year flood plain after July 1, 1991;

Page 26119

The Traficant amendment that prohibits the use of appropriated funds to carry out any projects unless materials and products used are produced in the United States with limitations for lack of sufficient products in the United States or increased cost of more than 25 percent;

Page 26120

The Boggs amendment that makes construction, operation, and maintenance of the flood protection at Lake Pontchartrain, Louisiana, a Federal responsibility;

Page 26120

The Dellums amendment that conveys the Oakland Inner Harbor Tidal Canal to the cities of Oakland and Alameda, California;

Page 26121

The Arney amendment that conveys lands located near Lewisville Dam and Garza-Little Elm Reservoir, Texas;

Page 26121

The Sisisky amendment that relieves the City of Chesapeake from its cost-sharing agreement with respect to the Southern Branch of the Elizabeth River navigation project;

Page 26122

The Chapman amendment that authorizes funds for the mitigation of fish and wildlife resource loss at Cooper Lake and Channels;

Page 26123

The Stangeland en bloc amendment that modifies the date for the filing of final reports to the Secretary from July 1, 1995 to July 1, 1993;

Page 26123

The Hall of Texas en bloc amendment that continues authorization for the East Fork of the Trinity River; and expands water storage space at Lake Texoma for the city of Denison, Texas;

Page 26124

The Torricelli amendment that extends the main diversion tunnel six and one-half miles to outlet in Newark Bay, and excludes the nine levee systems in Bergen, East Essex, and Passaic Counties from the project; and

Page 26125

The Stangeland en bloc amendment that adjusts cost estimates to reflect the cost estimates provided by the Corps.

Page 26129

Rejected the Pickett amendment that sought to strike provisions concerning the Albermarle Sound-Roanoke River Basin.

Page 26126

The following amendments were offered but subsequently withdrawn:

The Alexander amendment that sought to exempt agricultural wetlands from Federal water pollution control requirements;

Page 26100

The Dorgan amendment that sought to establish a council to review master manuals and annual operating plans for operation of the Missouri River main stem sys-

tem of dams; and the council must approve or require amendments to manuals and plans; and

Page 26106

The Lightfoot amendment to the Dorgan amendment that sought to maintain the council for review, but the council would only make recommendation to manuals or operating plans.

Page 26107

Subsequently, S. 2740, a similar Senate-passed measure, was passed in lieu, after being amended to contain the text of H.R. 5314. H.R. 5314 was laid on the table.

Page 26130

House insisted on its amendments, and asked a conference.

Page 26150

The Clerk was authorized to correct section numbers, punctuation, cross-references, and other technical and conforming changes in the engrossment of the amendment.

Page 26150

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages 26004, 26029, 26067, and 26130. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 9:50 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to continue markup of the Defense appropriations for fiscal year 1991.

Subcommittee recessed subject to call.

POST COLD WAR WORLD

Committee on Armed Services: Held a hearing on the New Europe—security and political arrangements for the post Cold War world. Testimony was heard from Baron Ewald von Kleist, founder, Wehrkunde Conference.

MILITARY EDUCATION

Committee on Armed Services: Military Education Panel held a hearing on the role of the Inter-American Defense College and its interface with the professional military education system. Testimony was heard from Maj. Gen. Bernard Loeffke, USA, Chairman, Inter-American Defense Board.

DEPOSIT INSURANCE REFORM

Committee on Banking, Finance and Urban Affairs: Concluded hearings on Deposit Insurance Reform. Testimony was heard from Robert D. Reischauer, Director, CBO.

LONG-TERM ENERGY SECURITY

Committee on Banking, Finance and Urban Affairs: Subcommittee on Economic Stabilization continued hearings on the long-term energy security of the United States.

Testimony was heard from the following officials of the Department of Energy: Calvin A. Kent, Administrator, Energy Information Administration; and John J. Easton, Jr., Assistant Secretary, International Affairs and Energy Emergencies; and public witnesses.

S&L BAILOUT COSTS—FINANCING OPTIONS

Committee on Banking, Finance and Urban Affairs: Subcommittee on Financial Institutions Supervision, Regulation and Insurance, Resolution Trust Corporation Task Force held a hearing on alternative financing options for the savings and loan bailout costs. Testimony was heard from Representatives Wolpe and Kennedy; and public witnesses.

OVERSIGHT

Committee on Education and Labor: Subcommittee on Employment Opportunities held an oversight hearing on the OTA Report: "Truth and Honesty Testing". Testimony was heard from John Andelin, Assistant Director, Science, Information, and Natural Resources Division, OTA.

ATTENDANT ALLOWANCE ADJUSTMENT ACT

Committee on Education and Labor: Subcommittee on Labor Standards approved for full Committee action amended H.R. 3911, Attendant Allowance Adjustment Act.

Prior to this action, the Subcommittee held a hearing on this legislation. Testimony was heard from Representative Kennedy.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 5132, amended, Independent Safety Board Act of 1974 Amendments Act of 1990; H.R. 4515, amended, High Speed Rail Transportation Policy and Development Act; H.R. 5702, amended, Minority Health Improvement Act of 1990; H.R. 5679, amended, Developmental Disabilities Assistance Amendments of 1990; H.R. 5622, Women, Infants, and Children Addiction Treatment Service Amendments of 1990; H.R. 5661, amended, National Institutes of Health Revitalization Amendments of 1990; H.R. 3095, amended, Safe Medical Devices Act of 1990; H.R. 5692, Adolescent Family Life Act; and H.R. 5693, amended, Family Planning Reauthorization Act.

IRAQI AGGRESSION RESOLUTION

Committee on Foreign Affairs: Subcommittee on Arms Control, International Security and Science and the Subcommittee on Europe and the middle East met and discussed a proposed resolution dealing with Iraqi aggression.

MISCELLANEOUS MEASURES; RECENT ENVIRONMENTAL ACTIVITIES OF AID

Committee on Foreign Affairs: Subcommittee on Human Rights and International Organizations approved for full Committee action the following measures; H. Con. Res.

329, calling for U.S. sanctions against nations which conduct unjustified lethal whale research, and otherwise expressing the sense of the Congress with regard to nations which violate the International Whaling commission moratorium on commercial whaling by killing whales under the guise of scientific research; and H.R. 3977, amended, Antarctic Protection and Conservation Act of 1990.

The Subcommittee also held a hearing on Recent Environmental Activities of the AID. Testimony was heard from Richard Bissell, Assistant Administrator, AID, U.S. International Development Cooperation Agency; and public witnesses.

MICROENTERPRISE DEVELOPMENT

Committee on Foreign Affairs: Subcommittee on International Economic Policy and Trade held a hearing on Microenterprise Development. Testimony was heard from Harold J. Johnson, Director, Foreign Economic Assistance Issues, GAO; Henrietta Holsman Fore, Assistant Administrator, Bureau for Asia and Private Enterprise, AID, U.S. International Development Cooperation Agency; and public witnesses.

MISCELLANEOUS MEASURES; DRAFT REPORTS

Committee on Government Operations: Ordered reported amended the following bills: H.R. 5023, Government Procurement Agreements Act of 1990; H.R. 5439, Reciprocity in International Government Procurement Enforcement Act of 1990; H.R. 5645, Expired Funds Control Act of 1990; H.R. 5450, Computer Matching and Privacy Protection Amendments of 1990; and H.R. 5687, Chief Financial Officer Act of 1990.

The Committee also adopted the following draft reports: "The Peace Corps: Entering its Fourth Decade of Service"; "Federal Employee Privacy Rights and Standard Form 86"; "Misconduct by Senior Managers in the Internal Revenue Service"; and "Consumer Cost of Continued State Motor Carrier Regulation"; and "Department of Justice Debt Collection; so Many Intentions, So Little Money".

DRAFT REPORT

Committee on Government Operations: Subcommittee on Government Information, Justice and Agriculture approved for full Committee action the following draft report entitled: "Department of Justice Debt Collection: So Many Intentions So Little Money".

MISCELLANEOUS MEASURES

Committee on Interior and Insular Affairs: Ordered reported the following bills: S. 1413, Aroostook Band of Micmacs Settlement Act; H.R. 2582, amended, to amend the Historic Sites, Buildings and Antiquities Act; H.R. 5004, amended, to amend the Wild and Scenic Rivers Act to designate certain segments of the Mills River in the State of North Carolina for Potential addition to the wild and

scenic rivers system; H.R. 5402, amended, to amend the Wild and Scenic Rivers Act by designating segments of the Allegheny River in the State of Pennsylvania as a component of the National Wild and Scenic Rivers System; S. 2680, to provide for the relief of certain persons in Stone County, AR deprived of property as a result of a 1973 dependent resurvey by the Bureau of Land Management; H.R. 5367, amended, Seneca Nation Settlement Act of 1990; S. 1747, amended, Ponca Restoration Act; and H.R. 5308, amended, Fort Hall Indian Water Rights Act.

OVERSIGHT

Committee on Merchant Marine and Fisheries: Subcommittee on Merchant Marine concluded oversight hearings on U.S. capability to meet sealift requirements for the Persian Gulf crisis. Testimony was heard from Warren G. Leback, Administrator, Maritime Administration, Department of Transportation; VAdm. Francis R. Donovan, Jr., USN, Commander, Military Sealife Command, Department of the Navy, Department of Defense; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Post Office and Civil Service: Ordered reported the following bills: H.R. 5322, amended, Senior Executive Service Improvement Act; H.R. 3139, Portability of Benefits for Department of Defense Nonappropriated Fund Employees Act of 1989; H.R. 1400, amended, to amend title 5, United States Code, to provide relief for certain inequities remaining in the crediting of National Guard technician service in connection with civil service retirement; H.R. 5007, amended, to designate the facility of the U.S. Postal Service located at 100 South John F. Kennedy Drive, Carpentersville, IL, as the "Robert McClory Post Office"; H.R. 5235, to designate the Owens Finance Station of the U.S. Postal Service in Cleveland, OH, as the "Jesse Owens Building of the U.S. Postal Service"; H.R. 5409, amended, to designate the post office building at 222 West Center Street in Orem, UT, as the "Arthur V. Watkins Post Office"; H.R. 5209, amended, to amend title 39, United States Code, to make nonmailable any unsolicited sample of a drug or other hazardous household substance which does not meet child-resistant packaging requirements; and H.R. 4174, amended, Administrative Office of the United States Courts Personnel Act of 1990.

MISCELLANEOUS MEASURES

Committee on Public Works and Transportation: Ordered reported amended the following bills: H.R. 5200, Aviation Security Improvement Act of 1990; and H.R. 3520, Hazardous Materials Transportation Act Uniform Safety Amendments Act of 1990.

MISCELLANEOUS MEASURES; PROSPECTUSES

Committee on Public Works and Transportation: Subcommittee on Public Buildings and Grounds approved for full

Committee action the following bills: H.R. 5419, amended, to designate the Federal Building at 88 West 100 North in Provo, UT, as the "J. Will Robinson Federal Building"; H.R. 5595, to redesignate the Federal building located at 1 Bowling Green in New York, NY, as the "Alexander Hamilton United States Custom House"; and H.R. 5708, to authorize acquisition of certain real property for the Library of Congress.

The Subcommittee also approved for full Committee action 3 lease prospectuses.

Prior to this action, the Subcommittee held a hearing on these matters. Testimony was heard from Representatives Nielson of Utah, Green, Ackerman, McGrath and Mrazek; Brooks Goldman, Associate Administrator, Administration, FAA, Department of Transportation; David L. Bibb, Assistant Commissioner, Office of Facility Planning, Public Buildings Service, GSA; and public witnesses.

CONFERENCE REPORT—CIVIL RIGHTS ACT

Committee on Rules: Granted a rule waiving all points of order against the conference report to accompany S. 2104, Civil Rights Act of 1990, and against its consideration. The rule provides that the conference report will be considered as read. Testimony was heard from Chairmen Hawkins and Brooks; and Representatives Gunderson and Fawell.

JOB TRAINING PARTNERSHIP ACT

Committee on Rules: Granted an open rule providing 1 hour of debate on H.R. 2039, Job Training Partnership Act of 1989. The rule waives clause 2(L)(6) of Rule XI against the bill. The rule makes in order the Education and Labor Committee amendments in the nature of a substitute now printed in the bill as original text to be considered by sections, with each section considered as read. The rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Martinez.

FAMILY UNIFICATION AND EMPLOYMENT OPPORTUNITY IMMIGRATION ACT

Committee on Rules: Testimony was heard from Chairmen Brooks and Rostenkowski; and Representatives Dorgan of North Dakota, Morrisison of Connecticut, Bryant, Richardson, Slattery, Pelosi, Smith of Texas, Moorhead, McCollum, Lowery of California, Davis, Lewis of Florida, Packard, Henry and Kyl, but no action was taken on H.R. 4300, Family Unification and Employment Opportunity Immigration Act of 1990.

SUSPEND THE RULES

Committee on Rules: Granted a rule making it in order for the Speaker to entertain motions to suspend the rules on Thursday, September 27, 1990.

NEW HOMELESS CRISIS

Select Committee on Aging: Held a hearing on "The New Homeless Crisis: Old and Poor in the Streets". Testimony was heard from public witnesses.

STRATEGIES FOR OVERCOMING HUNGER

Select Committee on Hunger: Held a hearing on Strategies for Overcoming Hunger: From Goals to Implementation. Testimony was heard from Bradshaw Langmaid, Deputy Assistant Administrator, AID, U.S. International Development Cooperation Agency; Robert Kim-Farley, Director, Expanded Program on Immunization, World Health Organization; and public witnesses.

Joint Meeting

NATIONAL AFFORDABLE HOUSING ACT

Conferees continued to resolve the differences between the Senate- and House-passed versions of S. 566, to authorize a new corporation to support State and local strategies for achieving more affordable housing and to increase homeownership, but did not complete action thereon, and will meet again Tuesday, October 2.

Thursday, September 27, 1990

Senate

Chamber Action

Routine Proceedings, pages 26314-26439

Measures Introduced: Ten bills and two resolutions were introduced as follows: S. 3119-3128, S. Res. 329, and S.J. Res. 371.

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Measures Reported: Reports were made as follows:

S. 3121, to amend title 31 of the United States Code to restrict the use of appropriations amounts available for definite periods. (S. Rept. No. 101-475)

S. 2649, to provide for improved drug abuse treatment and prevention, with an amendment in the nature of a substitute. (S. Rept. No. 101-476)

S. 447, to require the Congress and the President to use the spending levels for the current fiscal year (without adjustment for inflation) in the preparation of the budget for each new fiscal year in order to clearly identify spending increases from one fiscal year to the next fiscal year. (S. Rept. No. 101-477)

H.R. 3007, to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to provide additional authorizations for appropriations.

H.R. 5064, to amend the Drug-Free Schools and Communities Act of 1986 to provide for a program of grants